

OHNISHI**Application No. 09/809,095****Response to Office Action dated November 24, 2003****Remarks**

Reconsideration and allowance of the subject patent application are respectfully requested.

The specification has been amended to correct minor informalities found during preparation of this response. Entry of these amendments to the specification is respectfully requested.

Claim 2 has been amended to address the informality identified on page 2 of the office action and withdrawal of the objection to this claim is respectfully requested.

Claims 1 and 5 were rejected under 35 U.S.C. Section 112, second paragraph, as allegedly being indefinite. Claim 1 has been amended to delete the language "in pair" and now refers to --a reduced-size image/file icon pair--. With respect to claim 5, Applicant respectfully submits that the term "proximity" has a well-defined meaning and that Figure 3B provides an example of the proximity of the icon return space to the reduced-size image. Accordingly, Applicant does not believe the use of "proximity" renders claim 5 indefinite and respectfully requests reconsideration of this rejection.

In addition to the amendments noted above, claims 1-8 have been amended for purposes of clarification. None of these amendments to claims 1-8 are made for reasons relating to patentability over the applied references.

Claims 1, 3 and 4 were rejected under 35 U.S.C. Section 102(e) as allegedly being "anticipated" by Morris *et al.* (U.S. Patent No. 6,097,389). For the reasons set forth below, Applicant traverses this rejection.

Morris *et al.* discloses creating photo albums from a various digital images. With reference to Figure 12B, the office action apparently contends that the images on the album page 807 are the claimed "reduced-size" images and that the thumbnails in the separate thumbnail region 809 are the claimed "file icons." In one described implementation, the assigned order of pictures in an album may be changed by dragging and dropping one of the "thumbnails" from a current position in the thumbnail region to another position in the thumbnail region. The picture album will then automatically and dynamically reposition the pictures in the album pages based on the changes made in the thumbnail region. See, e.g., col. 13, lines 36-61. The office action alleges that claim 1 is anticipated by Morris *et al.*

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However, Applicant respectfully submits that the thumbnails and the album page images of Morris *et al.* do not correspond to the claimed reduced-size images and file icons which are displayed with "a predetermined interval" therebetween as specified in claim 1. In the illustrative example embodiments of the patent specification, these reduced-size image/file icon pairs are generated when data files are selected from folders such as folders F1, F2, F3 and F4. See, e.g., Figures 1(a) and 1(b). Operations on the data file and/or moving the reduced-size image may then be performed by dragging-and-dropping the file icons. Among other things, Morris *et al.* does not show a predetermined interval between the thumbnails and album page images.

In addition, claim 1 calls for the file icon to be smaller in area than the corresponding reduced-size image. As described with reference to the illustrative embodiments, although the user cannot recognize the corresponding data file content by only looking at the file icon, the user can indirectly do so based on the gap (or interval) between the file icon and the reduced-size image, or the relative positions of the icon and the image. By displaying a reduced-size image/file icon pair, activation of functions and changes of display position can be reliably performed using the file icons rather than the larger reduced-size images, while at the same time maintaining recognizability of the data file content through the use of the reduced-size image. Morris *et al.* does not disclose (or even suggest) the use of a file icon that permits the indirect recognition of the content of a data file based on a predetermined interval between the file icon and a corresponding reduced-size image of the data file.

Because Morris *et al.* does not show file icons and reduced-size images, or such icons and images with a predetermined interval therebetween, as described in claim 1, Morris *et al.* cannot anticipate claim 1 or claims 3 and 4 which depend therefrom.

Claim 2 was rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Morris *et al.* in view of Johnston, Jr. *et al.* (U.S. Patent No. 5,598,524) and Belfiore *et al.* (U.S. Patent No. 5,611,060). For the reasons set forth below, Applicant traverses this rejection.

Claim 2 is directed to an aspect of dragging of the file icon. Namely, if the drag operation is performed at a speed equal to or greater than a predetermined speed, the reduced-size image is fixed at a current position while a drag operation is performed. If the drag operation is below the predetermined speed, a frame having the size of the reduced-size image is

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displayed. The office action acknowledges that Morris *et al.* is deficient in this regard, but contends that Johnston, Jr. *et al.* and Belfiore *et al.* remedy this deficiency. However, neither of these references teach or suggest how to treat a reduced-size image when its corresponding file icon is dragged at particular speeds.

Johnston, Jr. *et al.* describes that a shape such as a rectangle may be used to represent a dragged object. However, Johnston, Jr. *et al.* does not relate this operation to the speed of dragging in any way, nor does Johnston, Jr. disclose how the appearance of a reduced-size image should vary when a corresponding file icon is dragged.

Belfiore *et al.* describes that an auto-scrolling operation may be made to depend on the speed of a mouse indicator during a drag-and-drop operation. Here again, Belfiore *et al.* does not disclose or even suggest how the appearance of one object should change based on the dragging speed of some other object such as a file icon.

For at least these reasons, the proposed combination of Morris *et al.*, Johnston, Jr. *et al.* and Belfiore *et al.* would not have rendered claim 2 obvious.

Claims 5-7 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Morris *et al.* in view of Hirose (U.S. Patent No. 5,745,112). For the reasons set forth below, Applicant traverses this rejection.

Claims 5-7 are directed to the concept of an icon return space. The illustrative example embodiments of the subject patent application describe that when a file icon is dropped in an icon return space, the file icon is moved back to its original display position without moving the associated reduced-size image. *See, e.g.*, page 9, line 25 to page 10, line 5. The office alleges that the dotted line in Figure 7 of Hirose *et al.* illustrate an icon return space. (The office action appears to have misidentified the number of the dotted line as 303 rather than 311.) However, even assuming for the sake of argument that region 311 is argued to correspond to an icon return space, there is no disclosure of displaying such space based on the distance of the file icon from a corresponding reduced-size image. For at least these reasons, the proposed combination of Morris *et al.* and Hirose would not have rendered the subject matter of claims 5-7 obvious.

Claim 8 was rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Morris *et al.* in view of Hirose, and further in view of Aparacio, IV *et al.* (U.S. Patent No. 5,727,174). For the reasons set forth below, Applicant traverses this rejection.

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Claim 8 specifies that the icon return space is larger in size than the file icon. This is shown and described in the illustrative example embodiments with reference to Figure 3(b) and its related description beginning at page 10, line 20. The office action alleges that the frame around the mini-desk 49 in Figure 6 of Aparicio, IV *et al.* is an icon return area that is larger in size than the file icon (human figure 47) to be returned thereto.

Claim 8 depends from claim 5 and Aparicio, IV *et al.* does not cure the deficiency of Hirose with respect to, among other things, displaying an icon return space based on the distance of a file icon from a corresponding reduced-size image. In addition, human assistant 47 is not a file icon associated with a reduced-size image of a data file. For at least these reasons, the proposed combination of Morris *et al.*, Hirose and Aparicio, IV *et al.* would not have rendered claim 8 obvious.

New claims 9-25 have been added. The subject matter of these new claims is fully supported by the original disclosure and no new matter is added. Claims 9-12 depend from claim 1 and are believed to be allowable for the reasons advanced with respect to claim 1 and for describing other patentable limitations. The remaining claims describe systems and methods using reduced-size images and file icons for data files. These systems and methods are not disclosed or suggested by the applied references.

For at least the reasons set forth above, the pending claims are believed to be allowable and favorable office action is respectfully requested.

Respectfully submitted,

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